

Burlington Development Review Board

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Alexandra Zipparo (Alt.)
Jim Drummond (Alt.)



BURLINGTON DEVELOPMENT REVIEW BOARD

Tuesday, May 19, 5:00 p.m.

Contois Auditorium, City Hall, 149 Church Street, Burlington, VT

Minutes

Board Present: A.Zipparo, AJLaRosa, I.Smith, B.Rabinowitz, M.Long, J.Stevens, A. Hart, and M.Aliosi

Board Absent: Jim Drummond

Staff Present: K. Lerner, S.Gustin, M.O'Neil, A.Wade

I. Agenda

Meeting commenced at 5:00pm.

Communications

K. Lerner refers Board to the revised plans for 36 Locust St.

II. Minutes

Board will act on minutes at next deliberative meeting.

III. Consent Agenda

1. 15-1039CA/CU; 54 Muirfield Road (RL-W, 4N) Luis and Kristin Llanos

Addition of shed and small production granite cheese boards for home occupation (Project Manager, Scott Gustin)

No objections on the consent agenda. No one other than applicant present to speak for or against.

J.Stevens, moves to grant permit and adopt findings.

B.Rabinowitz, seconded.

Vote: 8-0-0 (including A. Zipparo)

2. 15-1009SD: 1 Summit Ridge Street (RL, Ward 6S) Sanjay Sathe

Subdivide one lot into a total of three conforming lots, one to remain with main dwelling (Project Manager, Ken Lerner)

No issues for applicant about the staff or Board comments.

P. Sebastiano asked about the types of building and intent of use.

A. Hart said project was for a subdivision and suggested he chat with applicant after hearing on particulars; no proposal for development at this time. Separate applications will be filed before building occurs.

P. Sebastiano asked, what is type of building is allowable?

J. Stevens moves to grant permit and adopt findings.

I. Smith, seconded.

Vote: 8-0-0 (including A. Zipparo)

IV. Public Hearing

1. 15-1012CA/CU; 36 Locust Street (RL, 5S) Alec Bauer

Add second floor living space to convert entire garage to accessory dwelling unit (Project Manager, Ken Lerner)

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Swearing in at 5:13pm

A. Bauer presented an explanation of existing space and metal clad garage; requests continuation for remodeling; may apply for accessory building; referred to recently revised drawings showing two variations with no increase in coverage square footage.

A. Hart said there was no opportunity to look at the new revisions since Board was seeing them for the first time; questions if it will remain one floor.

A. Bauer said footprint stays same and profile, only roofline blown out.

A. Hart questions whether staff had concerns.

K. Lerner, no concerns with narrowness and height; maybe an issue with parking.

A. Hart questioned if vertical siding is too tall for footprint.

A. Bauer, vertical siding replaces existing and only in triangular section; open to staff suggestion for dormer siding.

A. Hart, staff recommended denial based on parking; asked applicant if he has changed perspective on parking.

A. Bauer said no; driveway 70' long and easily provides ample parking; described area; intention not to use accessory apt as income producing.

A. Hart, have to be careful about parking in residential areas where parking needs to keep cars off street; needs a parking plan.

K. Lerner, applicant needs formalized parking plan.

A. Bauer, details show the proximity of spaces; could be space for a carless individual.

M. Aloisi, questioned how many cars applicant owns.

A. Hart, renting to a tenant family member or not?

A. Bauer, no plans at this time, but no intention not to rent out.

A. Hart still independent.

A. Bauer, yes.

M. Aloisi asked why applicant was going for accessory dwelling.

A. Bauer, if can have just a shower would consider doing so.

K. Lerner, as long as not an independent unit.

K. Lerner said applicant could use for guests as small bedroom.

A. Hart said applicant would have to move kitchen or bathroom.

Discussion continued over whether unit could have half bath.

A. Bauer said he would appreciate parking waiver. He gave a description of parking and geographic dimensions.

B. Rabinowitz, questions east side of building having room for another parking space.

K. Lerner, needs separate parking.

A. Bauer questions setback requirement and mentioned that an accessory dwelling means owner resides at the home.

A. Hart the ordinance gives guidance for parking off street; asked if he'd like a ruling.

B. Rabinowitz, questions whether flat roof is viable.

A. Bauer responded it was not.

J. Dubrul, resident of Pine St west of applicant's property; mentioned the last time work done on his site there were problems with erosion; concerned with impact down slope to his property; water washes across yard loaded with debris; shows board photographs; goes over descriptions of pictures.

A. Hart, nothing the Board does can allow someone to discharge stormwater onto another property.

Discussions about impervious surfaces.

The patio was approved previously.

J. Dubrul said applicant has done great job overall with property.

A. Bauer this is a 50yr old property being rehabbed; retaining wall was approved by Bldg Dept; Jackson City apartments sit on Pine St; noting the last 3 years being wet weather and storm water runoff has always been there.

A. Hart closes hearing at 5:41pm and schedules for the deliberation hearing.

2. 15-0922CA/MA; 451 Appletree Point Road (RL, Ward 4N) Alfred Senecal

Demolition of existing structures, construct new duplex, associated site improvements and lot line adjustment (Project Manager, Scott Gustin)

3. 15-0923CA/MA; 465 Appletree Point Road (RL, Ward 4N) Alfred Senecal

New residential duplex, utilities and driveway (Project Manager, Scott Gustin)

Two members of board recused themselves: A. Hart and B. Rabinowitz.

S. Homested and C. Knauf introduced to Board

451 Appletree Point Road has existing camp and will be demolished. 465 Appletree Point Road is undeveloped.

J. Stevens, how long since they were active camps?

S. Homested, not sure, some may be seasonal use, but underutilized area

Proposed buildings as duplexes; more like single family with accessory apartment. Duplex has triggered additional review.

C. Knauf, main intention of property and building and landscaping; spoke about each phase.

The lots are mostly open lawn. The homes can be built without cutting much into woods.

J. Stevens, views from the lake are notable, which is less desirable in ordinance.

S. Gustin, the ordinance does not require that the new homes be invisible. There are ways to lessen visual impacts.

C. Knauf, keeping lakeshore intact; taking out 14 trees/dead scattered around lakefront; building design goal will be less obtrusive from lake and more blended; mass is broken by different materials; rooflines broken up in mass of buildings with eaves; discussion of different materials and setbacks.

A. LaRosa, are trees shown on landscape plan?

S. Homested, noted trees on plan.

A. LaRosa, images are not clearly represented; more clarity needed on trees.

C. Knauf; intend to keep trees and only remove dead and unsafe trees.

A. Senecal; discusses trees.

S. Gustin, shown on landscape plan with the specifics.

J. Stevens asked if Board or public has questions or comments.

M. Sparks, question if Board received materials; feels buildings are wrong for site; gross floor area does not reflect size of existing bldgs; most structures are camp-like. Tip of Appletree is rural; bldgs are better for paved portion of Appletree. Passed around photos of 11 foot wide road; said duplex is an inappropriate use for this area due to rural zone; should be different standards for dirt portion of Appletree point. Discussion continued on square footage of lots. S. Gustin noted that the GFA numbers are from the City Assessor's data. M. Sparks, spoke further about the large tree sitting in middle of 465 Appletree.

JB Cocklin, lives on paved portion of Appletree; feels project is better served on paved portion; obstructs views for beachgoers; Board should view and walk the beach; concerns over the separation in this undeveloped area and Rock Pt.; the two duplexes detract; scale of 3 stories high will seriously affect views from lake; sets precedent in scope and size; appeals for Board members to go to Leddy Park from the standpoint of the public and how it will change the view; development should be within reason and not stand out.

A. Zipparo asked if duplexes are allowed in this zone. S. Gustin said duplexes are a conditional use but are also noted in the purpose statement for the zoning district in the CDO.

S. Eastman, copies of his letter were given to Board; grew up in Appletree; decides to read letter; his great grandfather bought Appletree property and passed down property. Informal agreement of 5mi hr speed limit.

J. Stevens requests resident submit letter without reading

S. Eastman, resident prefers to read since she is nervous.

J. Stevens, informed he is very mindful of the area since he walked area; mindful of concerns and will talk about it at the deliberation.

L. Larson, asks Board if they are amenable to each person to speak; mentions that PZ says this is a major impact and everyone has right to speak.

J. Stevens will give everyone chance to speak.

L. Larson submits letter from resident unable to attend meeting.

M. Aloisi says it is within Board's jurisdiction to limit respondents to 3mins

D. Campbell describes a small cohesive group of neighbors, calls Appletree area a jewel on the lake; describes a 1923 historical marker; evidence of early stone age, musket balls; 100 species of birds; wooded and rural site; says proposal is not appropriate for area or for unpaved area; isthmus of land is very narrow; problematic with utility and fire trucks; wrong size, scale and use.

I. Bleakney expressed surprise at setbacks of duplexes being 17' from Lake; scale does not fit in; expansion of road will contribute to further development; more traffic; quiet neighborhood is a unique place and duplexes will have deleterious impact on area.

J. Cook says he is 3rd generation resident; proposal out of proportion; brings additional 4 households; current residents pay for upkeep of road; proposal will double traffic; sewer upgrade and water; elderly residents; scale is out of character with neighborhood in single family homes; take hard look at proposal and imagine what impact it will have.

Gary Reid, recently subdivided his property; he had to meet city requirements with his proposal; doesn't feel this development meets requirements and suggests removing subdivision status; presented letter to Board.

J. Stevens asks if any seasonal residents reside on Appletree
Response from audience was affirmative.

C.Reid, poplar trees do lean; nothing wrong with the trees; cottonwoods will be disturbed by installation of a sewer.

AZipparo, how long is the dirt road?

Respondents, half mile long for dirt road.

S. Gustin, new force main and pump station will connect to existing city sewer.

C. Reid, the sewer will destroy the trees; needs to know the plan; has not been asked about the plan; must come through his property and he won't grant any permission.

A. Reid, concerned about the small children and their safety and really small road and huge safety risk, lots of traffic, dirt entryway; presented letter to Board.

L. Larson, has resided since 1967; submitted items for consideration; said he was never informed about the variance decision last year; questions process of public meetings; no representative from his Ward is on a Board which raises a question of bias; mentioned Conservation Board's decision; the fact of narrow lots on Appletree; point is only one of two peninsulas in Burlington, an important lakeshore zone; bldg near shore is great mistake by DAB; grossly out of scale in size and height; unique geological aspects; all single family homes are smaller in size and scale. Applicant has misused compatibles; questions approval; stricter 75' from lake in Burlington is better than bldg 17' from lake; applicant has not approached neighbors with proposal; water usage; development on a point narrow neck and fragile; issues of traffic.

Shows Board picture of tree; removal of trees listed as 12" Oak. Over 60" in circumference; add in bank retention: deny lot line adjustment; urges Board to view sight; replicate height at site; willing to work with applicant for sustainable size.

J. Stevens, mentions that city council will be appointing new members to Board.

M. Long, questions why he feels excluded from process.

L. Larson, spoke of summer houses left; saw the "Z" sign. He asked PZ about notice and was told he was sent a letter. Says he did not receive it.

A. Zipparro questioned geological feature.

L. Larson, one of two natural protrusions of shoreline that isn't developed in Burlington.

L. Larson, hope good process is in place to be informed.

J. Stevens, suggests calling P & Z Dept; there will be deliberations.

L. Larson is there an appeal process?

J. Stevens, yes.

S. Homsted responded that the proposal provides private sewer. There is no intention to go on private property; no intention to come in back door; multiple meetings with planning and zoning process; open to comments and interaction; scale is appropriate and well under lot coverage and within zoning limits.

J. Stevens, closed Public Hearing at 7:13pm

V. Other Business

The deliberative meeting was set for Monday, June 1st at 5:00 PM.

VI. Adjournment

A. Hart – Chair, Development Review Board

Date

Anita Wade, Zoning Clerk

Date

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